

Assigned DOGM File No.: S 10491  
DOGM Lead: H. Shepherd

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
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JUL 08 1992

DIVISION OF  
OIL GAS & MINING

### NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

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#### I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Claim/Mine: Cherry Hill Park
2. Name of Operator/Applicant: Dan L. Powell and Gerald B. Powell  
dba Emery Industrial Resources  
Company ( ) Corporation ( ) Partnership (✓) Individual ( )
3. Permanent Address: P.O. Box 1131  
City: Huntington State: Utah Zip Code: 84528  
Telephone Number: (801) 465-2455
4. Ownership of Land Surface:  
Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State of Utah ☐ Other: \_\_\_\_\_
5. Ownership of Minerals:  
Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State of Utah ☐ Other: \_\_\_\_\_

Utah Mining Claim Number(s): \_\_\_\_\_

Utah State Lease Number(s): \_\_\_\_\_

6. Have the above owners been notified in writing? Yes ☒ No ☐  
If no, why not? \_\_\_\_\_

7. Does the operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes ☒ No ☐

## II. PROJECT LOCATION & MAP (Rule R647-3-105)

1. Project Location (legal description):

County(ies): Utah

SE 1/4, of NW 1/4, of NW 1/4: Section: 36 Township: 1150. Range: 8E.  
NE 1/4, of NW 1/4, of NW 1/4: Section: 36 Township: 1150. Range: 8E.  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

2. A topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the operator also plot and label any previous disturbances in the immediate vicinity that he is not responsible for.

## III. OPERATION PLAN (Rule R647-3-106)

1. Type of mining: Surface ☒ Underground ☐

2. Mineral(s) to be mined: Limestone

3. Provide a brief description of the proposed mining operation and onsite processing facilities. Mining Limestone from existing pit and crushing material.

3 pits existing, pad area pre-disturbed,  
1 building (not to be used by operator, some drums  
of grease (belongs to land owner). Operator to photo document pre-existing  
disturbance.

New Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)

Total project surface acreage to be disturbed: 5 (acres)



#### IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.
6. Remove all waste or debris from stream channels.
7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by ripping, discing, or harrowing.
13. Reseed disturbed areas with adaptable species. (The Division recommends seeding 20 lbs./acre of native and introduced species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or if broadcast seeded, harrow or rake the seed 1/4-1/2 inch into the soil - fall is the preferred time to seed.

V. VARIANCE REQUEST (Rule R647-3-110)Yes ☐ No ☒

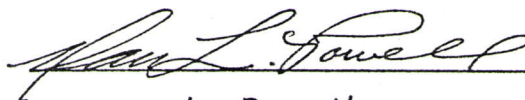
Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

<u>Item Number</u>	<u>Variance Request Justification</u>
R647-3-109(12)	see explanation below (topsoil)
R647-3-109(13)	see explanation below (topsoil) (revegetation)

VI. SIGNATURE REQUIREMENT

I hereby commit to conduct mining operations and to reclaim the aforementioned small mine as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature of Operator/Applicant:



Name (typed or printed):

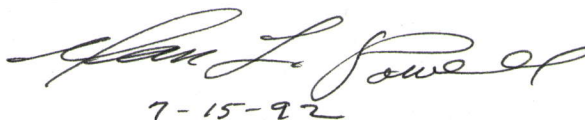
Dan L. Powell

Title/Position (if applicable):

Owner

Date:

7-8-92



7-15-92

3:MR-SMO

(topsoil) - The site has been pre-disturbed, plus the limestone ore body reaches the ground surface over the majority of the site (Flagstaff Limestone Formation), as a result topsoil will be unavailable for reapplication.

(Revegetation) - Because of the lack of soil material revegetation will not meet the standards. The operator, however, will apply seed to the disturbed area, but not be required to meet the reg. standard of 70% of surrounding cover.

HWS



